

17.2 LETHAL USE OF FORCE

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A. USE OF LETHAL FORCE

1. The value of human life is immeasurable in our society. Halifax Regional Police officers have been delegated with the responsibility to protect life and property and the responsibility of apprehending criminal offenders and must at all times be subservient to the protection of life. The officer's responsibility for protecting life must also include his/her own.
2. Above all else, the Halifax Regional Police values the safety of its employees and the public. Likewise, it is believed that officers should use firearms with a high degree of restraint. Therefore, it is HRP policy that the use of firearms is never to be considered routine. Its lethal use is permissible only in defense of life and then only after all alternative means have been exhausted as determined by the behavioural actions/inactions of the criminal offender.
3. Lethal force is used to cause timely cessation of aggressive action by the suspect that prompted its use.
4. Death may be a result of lawful use of deadly lethal force; but a member whose life is at risk is more likely to be concerned with the cessation of his/her assailant's attack than to the assailant's future demise.
5. Lethal Force may be used when necessary:
 - a. to protect officers or others from immediate threats of death or grievous bodily harm
 - b. to prevent escape of dangerous persons, only if the escape could not be prevented by reasonable means in a non-lethal manner
 - c. there are reasonable grounds to believe that the suspect is about to commit a crime involving the immediate infliction of death or grievous bodily harm.

6. Officers should bear in mind relevant factors related to the use of lethal force:
 - a. Necessary means the subject is non-compliant and/or alternative steps will not likely lead to safe control. Verbal warnings should be given and suspects given an opportunity to surrender, when feasible.
 - b. Immediate threat must give adequate consideration to such factors as Action versus Reaction Time Lapse, and the time necessary to achieve stopping results in light of the realities of wound ballistics.
 - c. Dangerous person and the prevention of his/her escape as a critical factor in using lethal force. The focus is not on the immediacy of the threat but the potential for danger to the community if a dangerous suspect is permitted to escape.
7. When assessing reasonableness officers should consider:
 - a. Objectively - the question is whether the police officer's actions are objectively reasonable in light of the facts and circumstances confronting him/her at the time, without regard to underlying intent or motivation.
 - b. Fairly - the reasonableness of a particular use of force must be judged from the perspective of a reasonable police officer on the scene, rather than with the 20/20 vision of hindsight.
8. The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split second judgments in circumstances that are tense, uncertain and rapidly evolving. These circumstances inflict neurological and physiological responses of fight or flight by the police officer and influence the amount of force that is considered necessary in a particular situation.

B. LETHAL FORCE BY DISCHARGING OF FIREARMS

1. Potential responses to use of lethal force include:
 - a. Psychological - Subject chooses to terminate action.
 - b. Physiological - Subject involuntarily terminates action due to factors beyond his control or state of mind.
2. The objective of lethal use of a firearm must be physiological incapacitation of the assailant.

C. POLICE OFFICER

1. It is the responsibility of every member who discharges his/her firearm to immediately inform his/her supervisor. The member is responsible to submit a General Occurrence Report outlining the circumstances of the incident and ensure a Subject Behaviour/Officer Response template is also submitted for same.
2. Members shall not discharge a firearm at a vehicle in an attempt to disable it. Members are justified with using an appropriate level of force, including deadly force, against the occupant(s) of a vehicle if it is to prevent grievous bodily harm or death to himself or herself or another person, and it is the least violent means available.

D. SUPERVISOR

1. Upon receipt of notification from a member that s/he has discharged his/her firearm, notify the Chief of Police.